

**FINDINGS OF CONFORMANCE
MULTIPLE SPECIES CONSERVATION PROGRAM
For Redding Tentative Parcel Map
TPM 21112, ER 07-08-019
APN (s) 239-360-08**

May 26, 2009

I. Introduction

The proposed project is a minor subdivision of a 10.11 acre lot into 3 residential lots. The project site is located at the end of Puebla Lane, east of Mary Lane and Bear Valley Parkway in the North County Metro Community Planning Group, within unincorporated San Diego County. The project site is completely surrounded by low density residential uses. The project would be served by onsite septic systems and imported water from the City of Escondido. No off-site improvements are required. This area is within the Metro-Lakeside-Jamul segment of the County's Multiple Species Conservation Program (MSCP).

Biological resources on site were evaluated by Everett and Associates (Biological Resources Letter Report, April 3, 2009). The project site contains three habitat types (Table 1): non-native grassland, southern willow scrub and orchards/ vineyards. The project site contains a natural drainage along the eastern boundary which will be preserved in a dedicated biological open space easement. No sensitive plant species were observed on project site. Two sensitive wildlife species were observed onsite: Red-shouldered Hawk (*Buteo Lineatus*) and Turkey Vulture (*Cathartes aura*). Two additional sensitive species were found to have a moderate potential of occurring onsite: Cooper's Hawk (*Accipiter cooperi*) and Barn Owls (*Tyto alba*).

The project will impact all habitat aside from the drainage which will be placed in a dedicated biological open space easement. The project site does not qualify as Biological Resource Core Area (BRCA) and is not located in proximity to any Pre-Approved Mitigation Areas or undeveloped land. Impacts to non-native grassland will require mitigation in accordance with the Biological Mitigation Ordinance (BMO), as listed in the Mitigated Negative Declaration. The purchase of Tier III or higher Tier habitat within a County-approved mitigation bank in the MSCP will be required.

Table 1. Impacts to Habitat and Required Mitigation

Habitat Type	Tier Level	Existing On-site (ac.)	Proposed Impacts (ac.)	Mitigation Ratio	Required Mitigation
Non-Native Grassland	III	9.51	9.51	0.5:1	4.76
Southern Willow Scrub	I	0.46	0	N/A	N/A
Orchards/ Vineyards	IV	0.14	0.14	N/A	N/A
Total:	--	10.11	9.65	--	4.76

The findings contained within this document are based on County records, staff field site visits and the Biological Resources Letter Report (Everett and Associates, April 3, 2009). The information contained within these Findings is correct to the best of staff's knowledge at the time the findings were completed. Any subsequent environmental review completed due to changes in the proposed project or changes in circumstance shall need to have new findings completed based on the environmental conditions at that time.

The project has been found to conform to the County's Multiple Species Conservation Program (MSCP) Subarea Plan, the Biological Mitigation Ordinance (BMO) and the Implementation Agreement between the County of San Diego, the CA Department of Fish and Game and the US Fish and Wildlife Service. Third Party Beneficiary Status and the associated take authorization for incidental impacts to sensitive species (pursuant to the County's Section 10 Permit under the Endangered Species Act) shall be conveyed only after the project has been approved by the County, these MSCP Findings are adopted by the hearing body and all MSCP-related conditions placed on the project have been satisfied.

II. Biological Resource Core Area Determination

The impact area and the mitigation site shall be evaluated to determine if either or both sites qualify as a Biological Resource Core Area (BRCA) pursuant to the BMO, Section 86.506(a)(1).

A. Report the factual determination as to whether the proposed Impact Area qualifies as a BRCA. The Impact Area shall refer only to that area within which project-related disturbance is proposed, including any on and/or off-site impacts.

The Impact Area does not qualify as a BRCA since it does not meet any of the following BRCA criteria:

i. The land is shown as Pre-Approved Mitigation Area on the wildlife agencies' Pre-Approved Mitigation Area map.

The project site is not shown as being a Pre-Approved Mitigation Area (PAMA) on the MSCP County Subarea Plan maps. The nearest PAMA area is located approximately 6,200 feet to the northeast.

ii. The land is located within an area of habitat that contains biological resources that support or contribute to the long-term survival of sensitive species and is adjacent or contiguous to preserved habitat that is within the Pre-Approved Mitigation Area on the wildlife agencies' Pre-Approved Mitigation Area map.

The project site supports two sensitive wildlife species: Red-shouldered Hawk (*Buteo Lineatus*) and Turkey Vulture (*Cathartes aura*) and no sensitive plant species. However, the project site is surrounded by residential development and

is not contiguous with any areas of biological open space nor any areas of PAMA or MSCP preserve lands.

iii. The land is part of a regional linkage/corridor. A regional linkage/corridor is either:

- a. Land that contains topography that serves to allow for the movement of all sizes of wildlife, including large animals on a regional scale; and contains adequate vegetation cover providing visual continuity so as to encourage the use of the corridor by wildlife; or**
- b. Land that has been identified as the primary linkage/corridor between the northern and southern regional populations of the California gnatcatcher in the population viability analysis for the California gnatcatcher, MSCP Resource Document Volume II, Appendix A-7 (Attachment I of the BMO.)**

The site is not part of a regional linkage/corridor as identified on MSCP maps nor is it in an area considered regionally important for wildlife dispersal. Surrounding properties are largely developed with residential uses.

iv. The land is shown on the Habitat Evaluation Map (Attachment J to the BMO) as very high or high and links significant blocks of habitat, except that land which is isolated or links small, isolated patches of habitat and land that has been affected by existing development to create adverse edge effects shall not qualify as BRCA.

The MSCP Habitat Evaluation Map identifies the site as high and developed. The habitat on site is isolated and located within an area largely developed with residential uses. The site does not function as a connection between large areas of undisturbed habitat.

v. The land consists of or is within a block of habitat greater than 500 acres in area of diverse and undisturbed habitat that contributes to the conservation of sensitive species.

The land is approximately 10 acres, and is not within a block of habitat greater than 500 acres of diverse and undisturbed habitat.

vi. The land contains a high number of sensitive species and is adjacent or contiguous to surrounding undisturbed habitats, or contains soil derived from the following geologic formations which are known to support sensitive species:

- a. Gabbroic rock;**
- b. Metavolcanic rock;**
- c. Clay;**
- d. Coastal sandstone**

The project site supports two sensitive wildlife species: Red-shouldered Hawk (*Buteo Lineatus*) and Turkey Vulture (*Cathartes aura*). The soils onsite are Fallbrook sandy loam, 15 to 30 percent slopes, eroded (FaE2) which are not known to support sensitive species.

B. Report the factual determination as to whether the Mitigation Site qualifies as a BRCA.

The Mitigation Site is considered a BRCA because offsite mitigation purchase will occur within a County-approved mitigation bank or at a site meeting one or more of the criteria presented above

The open space proposed onsite for this project is solely for purposes of avoiding a sensitive resource. This open space is not considered a Biological Resource Core Area and therefore, is not considered part of the regional MSCP preserve system. The requirements relating to the "Preserve" outlined in the County's Subarea Plan, the Implementation Agreement and the Final MSCP Plan will not apply to this open space.

III. Biological Mitigation Ordinance Findings

A. Project Design Criteria (Section 86.505(a))

The following findings in support of Project Design Criteria, including Attachments G and H (if applicable), must be completed for all projects that propose impacts to Critical Populations of Sensitive Plant Species (Attachment C), Significant Populations of Narrow Endemic Animal Species (Attachment D), Narrow Endemic Plant Species (Attachment E) or Sensitive Plants (San Diego County Rare Plant List) or proposes impacts within a Biological Resource Core Area.

The project does not propose impacts to any of the above resources or resource areas. BMO findings, including design criteria and Attachments G and H, are not applicable and have been deleted from this document.

IV. Subarea Plan Findings

Conformance with the objectives of the County Subarea Plan is demonstrated by the following findings:

1. The project will not conflict with the no-net-loss-of-wetlands standard in satisfying State and Federal wetland goals and policies.

The project site contains a natural drainage along the eastern boundary of the property. The entire drainage and wetland buffer will be preserved in a Biological Open Space Easement. Therefore, there will be no net loss of wetlands due to this project.

2. The project includes measures to maximize the habitat structural diversity of conserved habitat areas including conservation of unique habitats and habitat features.

The site contains three habitat types: southern willow scrub, non-native grassland and orchards/ vineyards. The southern willow scrub is considered the most unique habitat onsite. All of the southern willow scrub will be conserved in a dedicated biological open space easement. The loss of 9.51 acres of onsite non-native grassland will be mitigated by the preservation of 4.76 acres of equivalent tier or higher tier habitat within a County-approved mitigation bank.

3. The project provides for conservation of spatially representative examples of extensive patches of Coastal sage scrub and other habitat types that were ranked as having high and very high biological values by the MSCP habitat evaluation model.

The site does not contain coastal sage scrub habitat. The natural drainage onsite is mapped as high value habitat by the MSCP habitat evaluation model and will be preserved in a dedicated biological open space easement. The remainder of the site is mapped as developed by the MSCP habitat evaluation model.

4. The project provides for the creation of significant blocks of habitat to reduce edge effects and maximize the ratio of surface area to the perimeter of conserved habitats.

Since the project site is surrounded by residential development, it is not possible or desirable to create a significant block of habitat through onsite preservation. The open space proposed onsite for this project is solely for purpose of avoiding a sensitive resource. Offsite mitigation as proposed by the project will contribute toward creating large blocks of high quality habitat where edge effects are minimal and land is protected in perpetuity.

5. The project provides for the development of the least sensitive habitat areas.

The project will impact 9.65 acres of the site, including non-native grassland which is considered sensitive within the MSCP. The project site is surrounded by existing development, thereby limiting its value for future preservation as a large habitat block. However, the project will preserve the onsite drainage consisting of 0.46 acres of southern willow scrub within a biological open space easement. With offsite mitigation, development of the remainder of this site is not considered a significant impact to sensitive habitat.

6. The project provides for the conservation of key regional populations of covered species, and representations of sensitive habitats and their geographic sub-associations in biologically functioning units.

No threatened, endangered or narrow endemic species were detected on the project site. Two sensitive wildlife species were observed onsite: Red-shouldered Hawk (*Buteo Lineatus*) and Turkey Vulture (*Cathartes aura*). Due to the size of the site and surrounding existing development, no key populations of these species are anticipated. The onsite preserve will avoid impacts to an onsite drainage containing southern willow scrub which will continue to support sensitive wildlife species that use this area. Direct impacts will be mitigated through the offsite purchase and preservation of high quality habitat in an approved mitigation bank or BRCA. The offsite purchase will provide for habitat conservation that will conserve covered species and sensitive habitats in biologically functioning units.

- 7. Conserves large interconnecting blocks of habitat that contribute to the preservation of wide-ranging species such as Mule deer, Golden eagle, and predators as appropriate. Special emphasis will be placed on conserving adequate foraging habitat near Golden eagle nest sites.**

The site is not located adjacent to any known golden eagle nest sites or within known eagle foraging areas. Lands surrounding the property are developed with residential uses such as those proposed with the project. Although wide ranging species may occasionally use the property, the site does not connect to other habitat blocks. Offsite purchase and preservation of high quality habitat in an approved mitigation bank or BRCA will contribute to the development of large interconnecting blocks of habitat that support these species. .

- 8. All projects within the San Diego County Subarea Plan shall conserve identified critical populations and narrow endemics to the levels specified in the Subarea Plan. These levels are generally no impact to the critical populations and no more than 20 percent loss of narrow endemics and specified rare and endangered plants.**

The project site has no critical populations, narrow endemic species, or rare and/or endangered plants.

- 9. No project shall be approved which will jeopardize the possible or probable assembly of a preserve system within the Subarea Plan.**

The project site is not within a Pre-Approved Mitigation Area, nor is it considered a Biological Resources Core Area for the reasons stated in section II.A. The site has low biological diversity and relatively small size, limiting its potential to support significant habitat blocks or populations of any species. In addition, existing development adjacent to the site precludes the land from being a biologically-viable preserve. Therefore, development of the site will not hinder possible preserve systems within the Subarea Plan.

- 10. All projects that propose to count on-site preservation toward their mitigation responsibility must include provisions to reduce edge effects.**

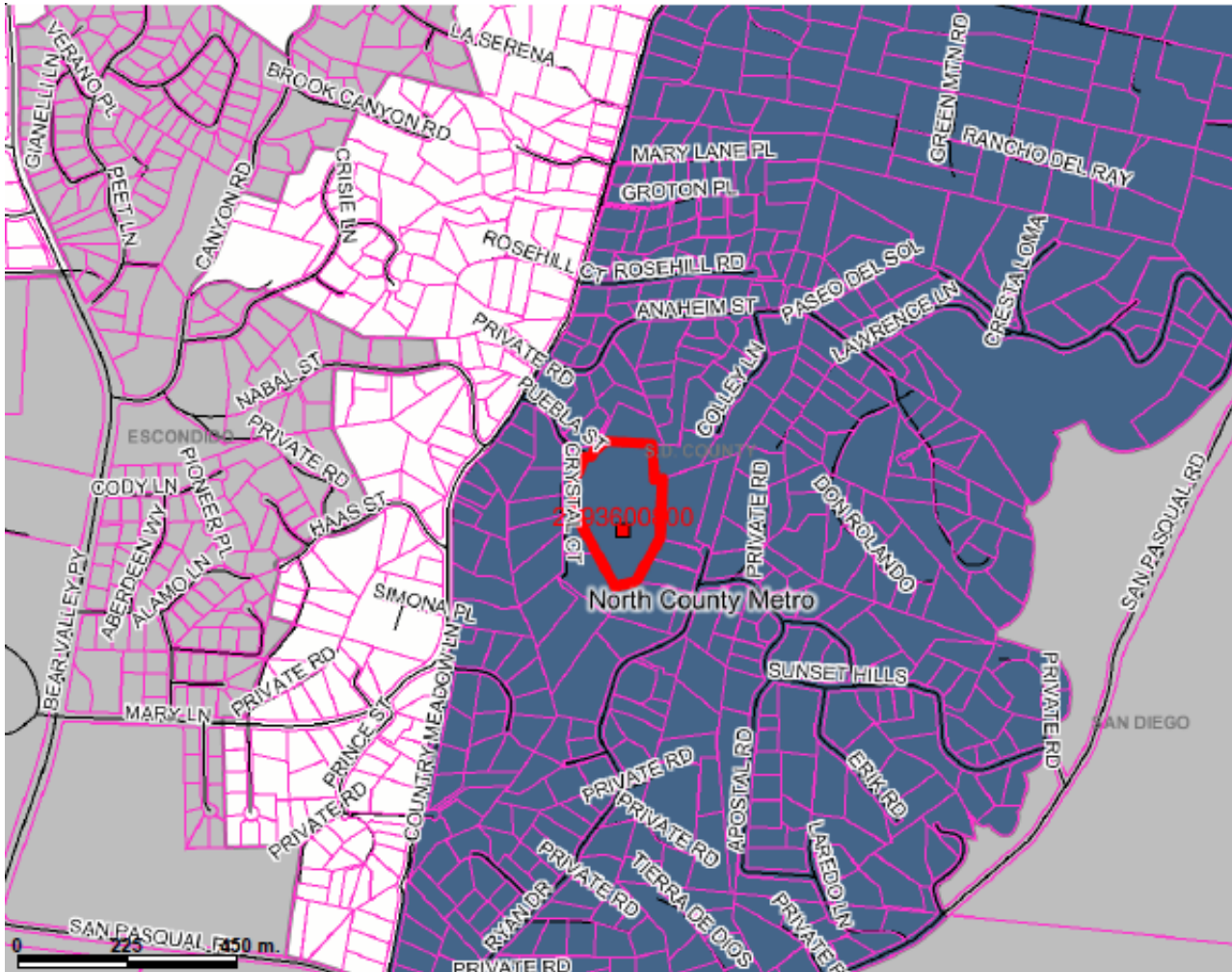
The onsite preservation is required to comply with the Resource Protection Ordinance, and will not be counted toward mitigation. The onsite drainage and wetland buffer will be preserved within dedicated Biological Open Space Easements. The wetland buffer width will be at least 50 feet wide, and will protect the preserved wetlands from future edge effects from residential development. The Open Space Easement will be surrounded by a 100-foot Limited Building Zone Easement, which will prevent construction that would require fire-clearing or fire fuel modification within the open space.


11. Every effort has been made to avoid impacts to BRCAs, to sensitive resources, and to specific sensitive species as defined in the BMO.

The project site is not within a Biological Resource Core Area. The project site contains Tier I and III habitats, which are considered sensitive under the BMO. The project will conserve all of the southern willow scrub onsite in conjunction with the natural drainage onsite. There were no threatened, endangered or narrow endemic species detected on the site. Two sensitive wildlife species were observed onsite: Red-shouldered Hawk (*Buteo Lineatus*) and Turkey Vulture (*Cathartes aura*). Due to the size of the site and adjacent development, no regionally significant populations of these species are anticipated. Avoidance is not necessary and project related impacts are not considered significant once mitigation pursuant to BMO requirements is incorporated.

Ashley Gungle, Department of Planning and Land Use
May 27, 2009

MSCP Designation For
Redding Tentative Parcel Map
TPM 21112, ER 07-08-019



- MSCP_Designations - South**
- | | | | |
|---|--|---|---|
|  | Parcels with out labels |  | Conserved Subject to Agreement with Wildlife Agencies |
|  | Highways |  | Santa Fe Valley Open Space II |
|  | Freeways |  | Santa Fe Valley 'D' Designator |
|  | Streets |  | Otay Ranch Areas Where No Take Permits will be Issued |
|  | Water Bodies |  | Take Authorized Area |
|  | Hardline Preserve |  | Unincorporated Land in Metro-Lakeside-Jamul Segment |
|  | Pre-Approved Mitigation Area (PAMA) |  | Other |
|  | Major Amendment Area | | |
|  | Minor Amendment Area | | |
|  | Minor Amendment Area Subject to Special Considerations | | |